

PATENT
ATTORNEY DOCKET NO. 07257/032002

DECLARATION BY THE INVENTORS

As a below-named inventor(s), I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MODIFIED GREEN FLUORESCENT PROTEINS

the specification of which:

[] is attached hereto.

[] was filed on _____, and identified as Attorney Docket No. _____.

[X] was filed on November 20, 1996, as Application Serial No. 08/753.144.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, code of Federal Regulations, Section 1.56(a).

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor:

Roger Y. Tsien

Inventor's signature:


April 21, 1997

Date:

Residence:

8535 Nottingham Place, La Jolla, CA 92037

Citizen of:

USA

Post Office Address:

8535 Nottingham Place, La Jolla, CA 92037

Full name of inventor:

Roger Heim

Inventor's signature:

Roger Heim

Date:

April 21, 1997

Residence:

510 Stratford Court, #309B, Del Mar, CA 92014

Citizen of:

Switzerland

Post Office Address:

510 Stratford Court, #309B, Del Mar, CA 92014

27626

ASSIGNMENT

U.C. Case No. 93-289-3

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Roger Y. Tsien

2. Roger Heim

hereby sells, assigns, and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located at 300 Lakeside Drive, 22nd Fl., Oakland, CA 94612-3550, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements in the invention entitled:

MODIFIED GREEN FLUORESCENT PROTEINS

and which is found in

- (a) U.S. patent application executed on _____, entitled as above and listing the above named persons as inventors
- (b) U.S. patent application serial no. 08/753,144, filed on November 20, 1996
- (c) U.S. Patent No.: _____, issued _____.

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or in any continuation, division, continuation-in-part, extension or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

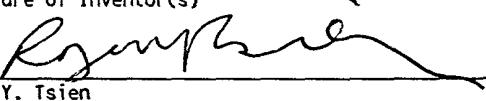
ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

18 day of April, 1997

Signature of Inventor(s)


Roger Y. Tsien

STATE OF _____)

County of _____ : ss.

On _____, 199_____, before me, _____, a Notary Public for the State of California, personally appeared Roger Y. Tsien, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity on behalf of which the person acted, executed the instrument.

Witness my hand and official seal

_____ day of _____, 199_____. _____

executed this

Signature of Inventor(s)

18 day of April, 1997

Roger Heim
Roger Heim

STATE OF _____)

County of _____ : ss.

On _____, 19____, before me, _____, a Notary Public for the State of California, personally appeared Roger Heim, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity on behalf of which the person acted, executed the instrument.

Witness my hand and official seal

_____ day of _____, 199____

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

Commissioner for Patents: Please record the attached original document.

1. Name of conveying party(ies):
Roger Y. Tsien and Roger Heim
2. Name and address of receiving party(ies):
**The Regents of the University of California
300 Lakeside Drive, 22nd Fl.
Oakland, CA 94612-3550**
3. Nature of conveyance:
 Assignment
 Merger
 Security Agreement
 Change of Name
 Other:
Additional names/addresses attached? Yes No

Execution Date: **4/18/97**

4. Application number(s) or patent number(s):
If this document is being filed with a new application, the execution date of the application is:
 A. Patent Application No.(s):
08/753,144
B. Patent No.(s):

Additional numbers attached? Yes No

5. Name/address of party to whom correspondence concerning document should be mailed:

**Lisa A. Haile, Ph.D.
Fish & Richardson P.C.
4225 Executive Square, Suite 1400
La Jolla, CA 92037**
6. Total number of applications/patents involved: **1**
7. Total fee (37 CFR 3.41): **\$40**
 Enclosed
 Authorized to charge deposit account
8. Deposit account number: **06-1050**
If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.

DO NOT USE THIS SPACE

9. Statement and signature: *To the best of my knowledge and belief, the foregoing information is true and correct and the attached is the original document.*

Lisa A. Haile, Ph.D.

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **3**

29620

Date of Deposit April 21, 1997

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Lucille M. Begalla

Lucille M. Begalla